



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

December 7, 2006

Katry Harris
Advisory Council on Historic Preservation
Office of Federal Agency Programs
1100 Pennsylvania Avenue, NW, Suite 803
Washington, DC 20004

Re: STB Docket No. AB-290 (Sub-No. 267X), Norfolk Southern Railway
Company – Abandonment Exemption – in Kanawha County, WV;
Notification of Adverse Effect

Dear Ms. Harris:

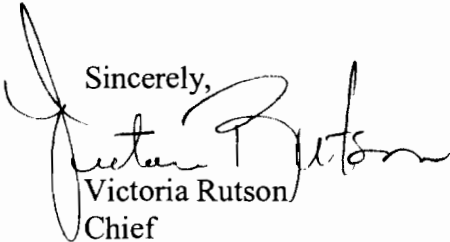
The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review for the above referenced abandonment proceeding pursuant to the National Environmental Policy Act and Section 106 of the National Historic Preservation Act. SEA has been consulting with the West Virginia Division of Culture and History (State Historic Preservation Office or SHPO) and Norfolk Southern Railway (the Applicant) regarding this proceeding and has determined that the proposed 12.22 mile abandonment will have an adverse effect on the rail line, which is considered eligible for listing in the National Register of Historic Places.

This adverse effect finding was suggested in the letter (copy enclosed) from Mr. Randall Reid-Smith, Commissioner of the West Virginia Archives and History Commission, dated April 18, 2006, and confirmed by Ms. Shirley Stewart-Burns, Historian for the SHPO, in a subsequent phone conversation on September 8, 2006. To date, the Applicant has submitted 16 State Historic Inventory forms to the SHPO and drafted a Memorandum of Agreement (MOA), which, among other things, requires the railroad to document bridges and trestles slated for demolition, tunnels for closure, and exterior facades. In addition, the Applicant must write a brief history of the line, provide track charts and locations of historic images, and determine a method for resolving disputes.

SEA will be working with the SHPO, the Applicant, and other concerned or affected parties to complete the Section 106 process. Pursuant to 36 CFR 800.6(b), SEA intends to work with appropriate consulting parties regarding the review of the MOA and to stipulate the resolution of adverse effects to historic properties. We do not seek your participation at this time.

The following documents are enclosed for your review pursuant to 36 CFR 800.11(e): 1) the Applicant's notice of exemption that describes the proposed action and contains information about the rail line; 2) the environmental and historic reports submitted by the railroad; 3) the environmental assessment prepared by SEA; 4) a copy of the consultation letter from Commissioner Reid-Smith to the Applicant; and 5) photographs of the line.

Please notify us within 15 days of this letter if you would like to participate in the resolution of adverse effects to historic properties for this project. If you have any questions or require additional information regarding this proceeding, please do not hesitate to call me or Diana Wood of my staff at (202) 565-1552.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures (5)

cc (w/out enclosures): Ms. Shirley Stewart-Burns, West Virginia SHPO
Mr. James R. Paschall, Norfolk Southern Railway